

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, June 6, 2000, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**CHARLES V. SMITH**  
CHAIRMAN  
First District

**JAMES W. SILVA**  
VICE CHAIRMAN  
Second District

**TODD SPITZER**  
SUPERVISOR  
Third District

**CYNTHIA P. COAD**  
SUPERVISOR  
Fourth District

**THOMAS W. WILSON**  
SUPERVISOR  
Fifth District

ATTENDANCE: All present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Gary Burton, CFO
	COUNTY COUNSEL	Laurence M. Watson
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Wilson, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District, led the assembly in the Pledge of Allegiance

**I. PRESENTATIONS/INTRODUCTIONS:** None

**II. CONSENT CALENDAR (Items 1-15)**

34251 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 3 - 15 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA**

### **PUBLIC PROTECTION**

#### **Sheriff-Coroner:**

1. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 for replacement of leaking underground natural gas lines, Theo Lacy Jail; receive and file status report; and agendize matter on 6/20/00, 9:30 a.m., for further consideration - District 4 (4/5 vote) (Continued from 4/18/00, Item S55A; 5/2/00, Item 28; 5/16/00, Item 22)

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2. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 to upgrade infrastructure to support new system providing disaster recovery to the Department of Justice California Law Enforcement Telecommunications System (\$1,661,667); receive and file status report; and agendaize matter on 6/20/00, 9:30 a.m., for further consideration - All Districts (4/5 vote) (Continued from 5/16/00, Item 36; 5/23/00, Item 35)

## **GENERAL ADMINISTRATION**

### **Supervisor Wilson:**

3. Approve Community Social Program Grant funds to Woodbridge High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)  
34251 **APPROVED AS RECOMMENDED**  
N
4. Approve Community Social Program Grant funds to Dana Hills High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)  
34251 **APPROVED AS RECOMMENDED**  
N
5. Approve Community Social Program Grant funds to Aliso Niguel High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)  
34251 **APPROVED AS RECOMMENDED**  
N
6. Approve Community Social Program Grant funds to Irvine High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)  
34251 **APPROVED AS RECOMMENDED**  
N
7. Approve Community Social Program Grant funds to Newport Harbor High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)  
34251 **APPROVED AS RECOMMENDED**  
N
8. Approve Community Social Program Grant funds to San Clemente High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)  
34251 **APPROVED AS RECOMMENDED**  
N
9. Approve Community Social Program Grant funds to Laguna Beach High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)  
34251 **APPROVED AS RECOMMENDED**  
N
10. Approve Community Social Program Grant funds to Tustin High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)

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34251        **APPROVED AS RECOMMENDED**  
N

11.            Approve Community Social Program Grant funds to Capistrano Valley High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)

34251        **APPROVED AS RECOMMENDED**  
N

12.            Approve Community Social Program Grant funds to Corona del Mar High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)

34251        **APPROVED AS RECOMMENDED**  
N

13.            Approve Community Social Program Grant funds to University High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)

34251        **APPROVED AS RECOMMENDED**  
N

14.            Approve Community Social Program Grant funds to Laguna Hills High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)

34251        **APPROVED AS RECOMMENDED**  
N

15.            Approve Community Social Program Grant funds to Foothill High School Grad Night; approve budget adjustments and make appropriate findings, 6/6/00 - 12/31/00 (\$1,000)

34251        **APPROVED AS RECOMMENDED**  
N

**END OF CONSENT CALENDAR**

## **III. DISCUSSION ITEMS (Items 16-S18B)**

### **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

16.            **Acting as the Orange County Flood Control District** - Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 regarding potential risk of flood damage, Fullerton Creek Channel, due to incomplete construction project; authorize Director or designee to prepare and award construction agreement to complete work and mitigate risk of damage from future storm flows; receive and file status report; and agendaize matter on 6/20/00, 9:30 a.m., for further consideration - District 4 (4/5 vote) (Continued from 5/23/00, Item 50)

43251        **APPROVED AS RECOMMENDED**

### **PUBLIC PROTECTION**

17.            **Sheriff-Coroner** - Public Hearing to consider approval of a purchase agreement between Flood Control District and Orange County to purchase surplus real property for Theo Lacy parking, Orange, execute and accept grant deed; and make appropriate findings - District 4

B.O.        **CONTINUED TO 6/20/00, 9:30 A.M.**

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## GENERAL ADMINISTRATION

### County Counsel:

18. First readings of "An Ordinance of the County of Orange to Add Article 17 of Division 2 of Title 1 of the Codified Ordinances to Create the Position of Executive Director of the Local Redevelopment Authority"; and "An Ordinance of the County of Orange to Amend Section 1-2-64 of the Codified Ordinances Relating to the Duties and Responsibilities of the County Executive Officer"; and set second readings and adoption for 6/13/00, 9:30 A.M. - All Districts  
21345 **APPROVED AS RECOMMENDED**
- S18A. Direct County Counsel to bring legal action against the California State Lands Commission and any other necessary parties to compel the Commission to decide the request by the Department of the Navy for retrocession of jurisdiction over certain lands at MCAS El Toro - All Districts  
12345 **MOTION TO APPROVE AS RECOMMENDED FAILED TO CARRY**  
NAN
- 35241 **MOTION TO AGREE TO A 3 1/2 YEAR PERIOD OF NO AIRCRAFT FLIGHTS**  
NNN **AT EL TORO BASE; CONTINUATION OF CURRENT PLANNING PROCESS**  
**AND NO AVIATION CONSTRUCTION OF ANY KIND FAILED TO CARRY**
- 14235 **CONTINUED TO 6/13/00, 9:30 A.M.**  
N
- S18B. **Chairman Smith** - Approve issuance of license agreement with Keep the Commissary to sponsor public forum, June 10, 2000, at the MCAS El Toro Auditorium for retention of the commissary  
32451 **APPROVED AS RECOMMENDED**

## IV. PUBLIC HEARINGS (Item 19)

19. **County Executive Office** - Public hearing to consider adoption of the Final FY 2000-01 Budget - All Districts (Continued from 6/5/00)
- A. Review of first day of hearings
  - B. Program III Infrastructure & Environmental Resources
  - C. Program IV General Government
  - D. Program V Capital Projects
  - E. Program VI Debt Service
  - F. Program VII Insurance, Reserves and Miscellaneous
  - G. John Wayne Airport and Local Redevelopment Authority (El Toro)
  - H. Closing Remarks
- B.O. **CLOSED PUBLIC HEARING**
- B.O. **CONTINUED FOR FINAL ADOPTION TO 6/20/00, 9:30 A.M.**

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## **V. CLOSED SESSION**

- SCS1.    **County Counsel** - "CONFERENCE WITH LEGAL COUNSEL -- PENDING LITIGATION:  
County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The cases are: City of Lake Forest, City of Irvine vs. County of Orange, et al., Orange County Superior Court Cases No. 77 24 42, 79 66 38, and 80 22 50, and Fourth District Court of Appeal, Division III, Case No. G023884; and El Toro Reuse Planning Authority, et al. Vs. Board of Supervisors, et al., Orange County Superior Court Case No. 80 04 33 - All Districts
- B.O.    **HELD, NO REPORTABLE ACTION**

## **VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT**

### **PUBLIC COMMENTS:**

None

### **BOARD COMMENTS:**

Supervisor Spitzer - Re: directive regarding housing north of MCAS El Toro mistakenly stated as District 3 should have been District 5

### **ADJOURNED: 4:10 P.M.**

14235    Adjourned in memory of Marjorie Ethel "Marj" Walters

31245    Adjourned in memory of Lori Gonzalez

\*\*\* KEY \*\*\*

#### ***Left Margin Notes***

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

#### ***Right Margin Notes***

- A. v Abstained
- X. v Excused
- N. v No
- BO v Board Order
- O. v Ordinance
- R. v Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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CHARLES V. SMITH, CHAIRMAN  
Orange County Board of Supervisors

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*DARLENE J. BLOOM*

*Orange County Clerk of the Board*